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BY ELECTRONIC FILING

The Honorable Kent A. Jordan
United States District Court
844 King Street
Wilmington, DE 19801

RE: Ampex v. Eastman Kodak, C.A. No. 04-1373-KAJ

Dear Judge Jordan:

I am writing on behalf of Ampex to bring to the Court's attention certain developments pertaining to Defendants' pending Motion To Disqualify Eric Anderson As An Expert Witness (D.I. 197). On March 27, 2006, after Ampex had submitted its opposition to this motion (D.I. 198), Defendants submitted an expert report from Richard Taylor (D.I. 233). In that report, Mr. Taylor cites heavily and relies on Mr. Anderson's ITC expert report and expert deposition testimony (taken before Mr. Anderson was disqualified there) (Taylor Report, ¶¶ 38, 65, 72, 76, 81, 83, 84, 90, 95, 99, 106, 124, 130, 138, 153, 159, 163, 166, 167, 199).

Ampex believes that it is inconsistent for Defendants to seek to have Mr. Anderson disqualified as an expert in this case, but at the same time to rely on his previous expert testimony in their case-in-chief. Although Ampex opposes Defendants' motion for the reasons set forth in its opposition, at minimum, if this Court were to grant Defendants' motion even in part, it should permit Mr. Anderson to testify as a rebuttal witness in response to Defendants' reliance on his earlier expert testimony in this case.

Respectfully,

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)

/bav

cc: Peter T. Dalleo, Clerk (By Hand)
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